



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

LIEN KIM THI PHAN,
a/k/a NANCY PHAN

Defendant.

Case No. 1:20-CR-29 (LMB)

STATEMENT OF FACTS

The United States and the defendant, LIEN KIM THI PHAN, a/k/a "Nancy Phan," (hereinafter, "the defendant"), agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. From at least in or about August 2019 through at least in or about October 2019, in the Eastern District of Virginia and elsewhere, the defendant did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree, to unlawfully, knowingly, and intentionally distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

2. During the course and in furtherance of this conspiracy, the defendant was personally involved in the distribution of, or it was reasonably foreseeable to the defendant that her co-conspirators distributed or conspired to distribute in furtherance of the conspiracy, at least 1.5 kilograms but less than 5 kilograms of a mixture or substance containing a detectable amount of methamphetamine.

3. During all relevant times, the defendant resided in Fairfax, Virginia, within the Eastern District of Virginia. The defendant agreed with others, both known and unknown, to distribute peach tablets being held out as Adderall for monetary gain. The peach tablets were advertised as Adderall through a darknet vendor using the moniker “addy4cheap.” The defendant agreed with others to ship drugs ordered from “addy4cheap” nationwide through the U.S. Mail using postage paid for with cryptocurrency, specifically Bitcoin. The peach tablets that the defendant and her co-conspirators distributed were a mixture or substance that contained a detectable amount of methamphetamine.

4. In coordination with others both known and unknown, the defendant received at her residence in Fairfax, Virginia packages containing peach tablets for redistribution. The defendant communicated with co-conspirators in person and by phone using various messaging applications. She also communicated directly with customers.

5. The defendant packaged peach tablets advertised as Adderall in order to fulfill orders placed on “addy4cheap.” To avoid detection, the defendant and her co-conspirators (1) mailed drug parcels that did not have their true names and addresses listed as the return information, (2) deposited those parcels at various United States Parcel Service (“U.S.P.S.”) collection boxes in the Eastern District of Virginia, (3) handled packages in a manner to avoid leaving fingerprints, and (4) operated in the late evening or early morning hours. Specifically, the defendant was seen dropping multiple parcels fulfilling “addy4cheap” purchases on at least September 3, September 11, September 17, September 19, and September 24, 2019. Packages mailed by the defendant resembled those obtained through controlled purchases made by law enforcement through “addy4cheap.”

6. Between August 2019 and December 2019, law enforcement agents conducted 20 controlled purchases from “addy4cheap” on both the Empire Market and Cryptonia for a total of 767 peach tablets received weighing approximately 268 grams total. The tablets received by law enforcement had markings of “A D” and “30” which is consistent with known markings for 30 milligram Adderall tablets.

7. The Empire Market lists “addy4cheap” as becoming a member on May 24, 2019. As of December 10, 2019, “addy4cheap” had completed 3,665 sales on the Empire Market and received 2,568 reviews. These reviews included negative feedback from different customers stating that the tablets sold by “addy4cheap” were pressed and contained methamphetamine. Each review lists the total amount spent in U.S. dollars by the reviewing customer. Based on these reviews, as of December 10, 2019, “addy4cheap” had received approximately \$482,572.10 from its sales on the Empire Market for an approximate 44,872 pills sold. Cryptonia listed “addy4cheap” as becoming a member on June 29, 2019. As of November 7, 2019, “addy4cheap” had fulfilled 140 transactions on Cryptonia.

8. On or about December 9, 2019, pursuant to a search warrant, law enforcement searched the defendant’s residence. In that residence law enforcement found 95 peach tablets resembling those advertised on “addy4cheap” vendor pages and those received during controlled purchases as well as 100 MDMA tablets. The peach tablets and the MDMA tablets were packaged in black foil bags similar to those received through law enforcement controlled purchases from “addy4cheap.” In the defendant’s residence was also approximately \$7,059.00 in U.S. currency, two pistols, and one shotgun.

9. Also on or about December 9, 2019, pursuant to a search warrant, law enforcement searched the residence of one of the defendant’s co-conspirators. In that residence, was over

6,000 peach tablets weighing approximately 2.2 kilograms which resemble those advertised on “addy4cheap” vendor pages and those received by law enforcement through controlled purchases. The co-conspirator also had in his home multiple envelopes, baggies, raisin boxes, a printer and other materials consistent with the packaging materials used in parcels obtained through controlled purchases from “addy4cheap.” In that home was also approximately over 400 grams of MDMA tablets, marijuana, vape cartridges, a money-counting machine, and approximately \$8,985.00 in U.S. currency.

10. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant’s case.

11. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

Date: February 3, 2020

By:



Bibeane Metsch
Jay V. Prabhu
Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, LIEN KIM THI PHAN, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



LIEN KIM THI PHAN

I am Ann Mason Rigby, defendant's attorney. I have carefully reviewed the above Statement of Facts with her. To my knowledge, her decision to stipulate to these facts is an informed and voluntary one.



Ann Mason Rigby
Attorney for LIEN KIM THI PHAN